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December 4, 2012

By E-Mail

Hon. Jesse M. Furman
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 630
New York, NY 10007
Furman_NYSDChambers@nysd.uscourts.gov

Re: City of New York v. Robert Gordon, d/b/a All Of Our Butts et al.
12-CV-4838

Dear Judge Furman:

We represent Robert Gordon, d/b/a All Of Our Butts and Marcia Gordon (the "Gordon Defendants") in the above-referenced matter. We are writing in response to Plaintiff's letter dated November 28, 2012, and Your Honor's Endorsement of said letter directing our response.

After we served the initial discovery responses on behalf of the Gordon Defendants on November 9, 2012, we had several conferences with the City during which we agreed to serve Amended Responses to avoid the need for additional motion practice on discovery issues. In accordance with these discussions, we served the Gordon Defendants' Amended Response To Plaintiff's First Set Of Requests For Admission on November 29, 2012 and, earlier today, we served the Gordon Defendants' Amended Response To Plaintiff's First Set of Interrogatories. A copy of each of these Amended Responses is attached to this e-mail.

It was our understanding that the City had agreed that service of Amended Responses prior to the close of briefing on the pending motions would allow for sufficient time to deal with any issues arising from any Amended Responses. Accordingly, we were surprised to receive the City's letter of November 28, 2012.

We believe that our Amended Responses eliminate the need for any motion practice concerning the Gordon Defendants' discovery responses and we are prepared

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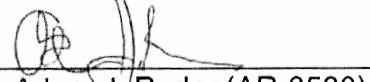
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to address any additional issues during the telephone conference that Your Honor has scheduled for December 5, 2012 at 10 a.m.

Respectfully submitted,
Anderson Kill & Olick, P.C.

By: _____


Adam J. Rader (AR-3530)

Enclosures

cc: Michael A. Cardozo, Corporation Counsel of the City of New York
(Attn: Eric Proshansky, Assistant Corporation Counsel – eproshan@law.nyc.gov)

Paul G. Joyce, Esq. (Colucci & Gallaher, P.C.)